

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

AMERICAN CAST IRON PIPE COMPANY,	§	
	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 4:18-CV-00549
	§	
NORTHWEST PIPE COMPANY,	§	
	§	
Defendants.	§	
	§	

ORDER OF DISMISSAL

Pending before the Court is Plaintiff American Cast Iron Pipe’s (“Plaintiff”) Notice of Voluntary Dismissal (the “Notice”) (Dkt. #11). The Notice represents that Plaintiff desires to voluntarily dismiss all claims against Defendant Northwest Pipe Company (“Defendant”) with prejudice. See *id.*

Federal Rule of Civil Procedure 41(a)(1) provides that a plaintiff may voluntarily dismiss an action without court order in one of two ways. A plaintiff may dismiss an action under Rule 41(a)(1)(A)(i) by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” FED. R. CIV. P. 41(a)(1). A plaintiff may alternatively dismiss an action under Rule 41(a)(1)(A)(ii) by filing “a stipulation of dismissal signed by all parties who have appeared.” *Id.* As such, formal court action is not necessary in this case. However, the Court finds that in the interest of efficiency, justice, and maintaining the clarity of the record, an entry of an order of dismissal as requested by the parties is appropriate.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this entire action, and all of the claims asserted therein, are **DISMISSED WITH PREJUDICE**. Each party shall bear its own attorneys' fees and costs.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 3rd day of October, 2018.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE